New scheme to create telecom infrastructure in rural areas

*215 SHRI RAJEEV SHUKLA: Will the Minister of COMMUNICATIONS AND INFORMATION TECHNOLOGY be pleased to state:

(a) whether it is a fact that Government have announced a new scheme to fund operators to create telecom infrastructure for rural telephony in the country; and

(b) if so, the details thereof alongwith the status of its implementation?

THE MINISTER OF STATE IN THE MINISTRY OF COMMUNICATIONS AND INFORMATION TECHNOLOGY (DR. SHAKEEL AHMAD): (a) and (b) A proposal is under active consideration of the Government to provide support for sharable infrastructure for cellular mobile services in rural and remote areas of the country. The infrastructure to be supported may include tower, power backup etc. The details of the scheme are being worked out and the implementation will be taken up after a suitable amendment to the Indian Telegraph Act, 1885 for which action has been initiated.

Appointment of additional judges to clear pending cases

†*216. SHRI RAVI SHANKAR PRASAD:
SHRI RAM JETHMALANI:

Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether it is a fact that 300 additional judges in High Courts and 6,500 new judges in subordinate courts would be required to dispose off all pending cases in High Courts in next five years according to the Law Commission;

(b) if so, Government's reaction thereto; and

(c) the number of judges required according to Government's estimate?

THE MINISTER OF LAW AND JUSTICE (SHRI H. R. BHARDWAJ): (a) to (c) No such recommendation has been received from the Law Commission. However, judge strength of the High Courts is reviewed every three years. The last review was undertaken in the year 2003 when 94 new posts were recommended. As an interim review, 4 posts of Judges were approved for the Bombay High Court in 2005, making the total for increase of 98 posts. The next review is due in 2006 for which the High Courts have been requested to furnish data.

†Original notice of the question was received in Hindi.

1.1 As per the guidelines, the required strength of permanent Judges in a High Court is worked out by dividing the average institution of main cases during the last five years by the national average or the average rate of disposal of main cases per Judge per year in that High Court, whichever is higher.

1.2 Similarly, the required strength of Additional judges in a High Court is worked out by dividing the number of main cases pending over two years by the national average or the average rate of disposal of main cases per Judge per year in that High Court, whichever is higher.

1.3 If the disposal per Judge in the concerned High Court is below even the national aveage then instead of increasing the strength, the concerned High Court is required to take steps for improvement in the rate of disposal of cases. If the average disposal of concerned High Court is above the national average then increase in Judge strength is accordingly considered. The strength of Additional Judges is reviewed only if there is an increase in the arrears of the pending cases during the last 5 years and the disposal per Judge is above the national average.

2. Under Article 235 of the Constitution of India, the administrative control over the members of subordinate judiciary in the States vests with the concerned High Court and the State Government. Thus, filling up of the vacant posts of judges/magistrates at the District and Subordinate Courts is the concern of the respective High Courts and the State Governments.

2.1 The Supreme Court, in its judgement of March 21, 2002 in All India Judges Association case had directed that the existing vacancies in the Subordinate Courts at all levels should be filled, if possible latest by 31st March, 2003, in all the States.

2.2 The Central Government has been periodically urging all the State Governments/Union Territories to accord utmost priority to filling up of vacant posts of judges and magistrates. The Minister of Law and Justice has written to the Chief Justices of all High Courts and Chief Ministers of all States on 26.4.2002 for ensuring compliance of the aforesaid order of the Supreme Court dated 21st March, 2002.

Internet facility on mobile phones

*217. SHRI TARIQ ANWAR: Will the Minister of COMMUNICATIONS AND INFORMATION TECHNOLOGY be pleased to state:

(a) whether it is a fact that the largest number of consumers are using BSNL and Dolphin Mobile services but there is no internet facility on these mobile phones;